THE HON'BLE SRI JUSTICE A.GOPAL REDDY

W.P.NO.7981 OF 2006

DATED: 24.04.2006

BETWEEN:

Tasleem Sultana

… Petitioner

and

The Revenue Divisional Officer

Karimnagar and others

… Respondents

THE HON'BLE SRI JUSTICE A.GOPAL REDDY

W.P.NO.7981 OF 2006

ORDER:

Heard the learned counsel for the petitioner and the learned Government

Pleader for Civil Supplies.

The allegations mentioned in the show cause notice dated 01.04.2006 are of serious in nature wherein it was alleged that 250 bags @ 50KG i.e. 268.50 quintals of rice along with 250 gunny bags which were meant for distribution to the labourers engaged for construction were diverted and the same was seized and a crime was registered against the dealer for the said offence.

In view of the seriousness of the said allegations, the authorization of the petitioner was suspended by a separate order of even date. Questioning the same the writ petition is being filed. Earlier Writ Petition No.6143 of 2006 was filed by the petitioner stating that as long as the authorization is subsisting and her representation for renewal is pending, she should be allowed to distribute the essential commodities. This court disposed of the said writ petition at the admission stage directing the respondent to supply the essential commodities to the petitioner's fair price shop as long as her authorization is in force and has not been suspended. If the authorization has not been renewed, the respondents are under obligation to intimate the same to the petitioner.

The learned counsel for the petitioner submits that the said order was passed by this Court on 4.4.2006 and the respondents suspended the authorization with an ante date on 1.4.2006 and the show cause notice was received by the petitioner on 6.4.2006 and after receipt of show cause notice, the petitioner submitted his explanation. Since the charges made against the petitioner in the show cause notice are serious in nature, it is for the appellate authority to verify whether the records whereunder an order of suspension was passed with antedate or not, as alleged by the petitioner, if an appeal is preferred questioning the suspension of the authorization, as provided under the rules. In view of the same, I see no grounds to entertain the writ petition.

Accordingly, the writ petition is dismissed. However, the petitioner is at liberty to approach the appellate authority questioning the correctness of the order passed by the respondents and can raise all the grounds that are raised in this writ petition before the appellate authority. No costs.

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24-04-2006

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